

NO. PD-0048-20

DAVID ASA VILLARREAL, § IN THE COURT OF
Appellant
vs. § CRIMINAL APPEALS
THE STATE OF TEXAS, § AUSTIN, TEXAS
Appellee

MOTION FOR EXTENSION OF TIME
TO FILE APPELLANT'S BRIEF ON APPELLANT'S
PETITION FOR DISCRETIONARY REVIEW

TO THE HONORABLE COURT OF CRIMINAL APPEALS:

Now comes, David Asa Villarreal, appellant in the instant cause, by and through undersigned counsel, Edward F. Shaughnessy, and files this Appellant's Motion for Extension of Time to File Brief on Appellant's Petition for Discretionary Review pursuant or Rule 9, Tex. R. App. Proc. In support of the instant motion the Appellant would show unto this Court the following:

A.

The appellant was charged, by way of an indictment, with the offense of Murder in cause number 2016-CR-0549. The appellant was convicted by a jury of the offense as charged in the indictment in the 186th District Court of Bexar County. The appellant was sentenced by the jury to sixty years of

confinement in confinement in the Texas Department of Corrections. An appeal of that judgment was pursued to the Court of Appeals for the Fourth Court of Appeals District. The appellant's conviction was affirmed in all respects on December 27, 2019. Undersigned counsel represented the appellant in the Court below as court-appointed counsel and was appointed by the trial court to file a Petition for Discretionary Review on behalf of the appellant. That petition was filed in this Court in a timely fashion. On June 17, 2020 this Court granted the appellant's petition. The appellant's brief on the merits of his petition is due to be filed in this Court on July 30, 2020. The appellant would respectfully request an extension of thirty days in which to file his brief on the merits. In support of that request the appellant would show unto the Court the following:

B.

Counsel is in the process of compiling a brief on behalf of the appellant in The State of Texas v. Buddy Martin, Cause No. 13-19-00425-CR.. The undersigned recently completed and filed a brief on the State's behalf in the Capital Murder case styled Aniseto Alejandro v. The State of Texas, Cause No. 13-19-00183-CR.

C.

Counsel is in the process of preparing for trial in the Capital Murder case styled The State of Texas v. Brian Nixon, Cause number 16-04-11937. Counsel is serving on a contractual basis for the District Attorney for the 454th Judicial District Attorney in that matter.

D.

In addition the undersigned serves as a part-time Criminal law Magistrate for the District Courts of Bexar County. Counsel has recently served and continues to serve in that capacity.

PRAYER FOR RELIEF

Wherefore premises considered, the appellant would request that this Court grant the appellant an additional thirty (30) days in which to file a brief on his Petition for Discretionary Review in the instant case.

Respectfully submitted,

/S/E. F. Shaughnessy
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CERTIFICATE OF SERVICE

I, Edward F. Shaughnessy, hereby certify that a copy of the instant motion was served upon Andrew Warthen, attorney for the appellee, by mailing the motion to 101 W. Nueva, San Antonio, Texas 78205 on this the 6th day of July, 2020.

/S/ E.F. Shaughnessy
Edward F. Shaughnessy, III
Attorney for the Appellant